

MCCERCC Information

Executive Order 2007-18:

Michigan Citizen-Community Emergency Response Coordinating Council

Michigan Citizen-Community Emergency Response Coordinating Council Members

EXECUTIVE ORDER No. 2007-18 (REFORMATTED ELECTRONIC COPY)

MICHIGAN CITIZEN-COMMUNITY EMERGENCY RESPONSE COORDINATING COUNCIL

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963 the Governor is responsible for taking care that the laws be faithfully executed;

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963 each principal department of state government is under the supervision of the Governor unless otherwise provided by the Constitution;

WHEREAS, this administration continues to be committed to encouraging all residents, organizations, and institutions in Michigan to help in solving our most critical problems by volunteering their time, effort, energy and service in times of prosperity as well as crisis;

WHEREAS, the need for homeland security, community health, public safety, and all-hazard preparedness have increased and have led to the need to call upon the compassion, inventiveness, and volunteer spirit of all Michigan residents to help solve many of the problems facing our communities;

WHEREAS, state government has a unique role to play in coordinating hazard mitigation and emergency response activities of state and local governments;

WHEREAS, it is appropriate that state government rely upon appropriate technical expertise and input from the general public in coordinating hazard mitigation and emergency response activities;

WHEREAS, the Michigan Citizen Corps Council was created within the Michigan Community Service Commission under Executive Order 2002-9 to oversee the development and operation of the Michigan Citizen Corps Council and to act as a state-wide advisory council on the Michigan Citizen Corps;

WHEREAS, while under Executive Order 2002-9, the Michigan Citizen Corps Council was charged with the development of initiatives to promote, among other things, the federal Terrorist Information and Prevention System (TIPS), federal law now prohibits activities to implement the TIPS component of the Citizen Corps initiative;

WHEREAS, the Michigan Citizen Corps Council failed to report to the Governor and the Legislature as required under Executive Order 2002-9;

WHEREAS, the Michigan Emergency Planning and Community Right-to-Know Commission was established by Executive Order 1994-17, as amended by Executive Orders 1994-25 and 1995-23, and designated as the emergency response commission for this state as required by the federal Emergency Planning and Community Right-to-Know Act of 1986;

WHEREAS, the Michigan Hazard Mitigation Coordinating Council was established by Executive Order 1998-5 to assist in preventing or lessening the damage and impact of disasters and emergencies through hazard mitigation;

WHEREAS, the work of the Michigan Citizen Corps Council, the Michigan Emergency Planning and Community Right-to-Know Commission, and the Michigan Hazard Mitigation Coordinating Council can be coordinated more effectively by a single new entity within the Department of State Police;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in me by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

A. "Civil Service Commission" means the commission authorized under Section 5 of Article XI of the Michigan Constitution of 1963.

B. "Council" means the Michigan Citizen-Community Emergency Response Coordinating Council created as an advisory body within the Department of State Police under this Order.

C. "Community Service Commission" means the Michigan Community Service Commission established under 1994 PA 219, MCL 408.221 to 408.232, that was subsequently transferred to the Department of Career Development by Executive Order 1999-1, as amended, MCL 408.40, to the Department of Labor and Economic Growth by Executive Order 2003-18, MCL 445.2011, and to the Department of Human Services by Executive Order 2006-18, MCL 400.561.

D. "Department of Management and Budget" means the principal department of state government created under Section 121 of The Management and Budget Act, 1984 PA 431, MCL 18.1121.

E. "Department of State Police" or "Department" means the Department of State Police created under Section 150 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.250.

F. "Michigan Citizen Corps" means the Michigan initiative created under the federal USA Freedom Corps program pursuant to Executive Order 2002-9 and other applicable state and federal law.

G. "Michigan Citizen Corps Council" means the advisory body created within the Michigan Community Service Commission under Executive Order 2002-9.

H. "Michigan Emergency Planning and Community Right-to-Know Commission" means the advisory body created within the Department of State Police under Executive Order 1994-17, as amended by Executive Orders 1994-25 and 1995-23.

I. "Michigan Hazard Mitigation Coordinating Council" means the advisory body established within the Department of State Police by Executive Order 1998-5.

J. "USA Freedom Corps" means the federal interagency initiative created under Executive Order No. 13254, 67 CFR 4869, and any successor program.

II. CREATION OF THE COUNCIL

A. The Michigan Citizen-Community Emergency Response Coordinating Council is created as an advisory body within the Department of State Police.

B. The Council shall consist of the following members:

1. The Director of the Department of Agriculture or his or her designated representative from within the Department of Agriculture.
2. The Director of the Department of Community Health or his or her designated representative from within the Department of Community Health.
3. The Director of the Department of Environmental Quality or his or her designated representative from within the Department of Environmental Quality.

4. The Adjutant General or his or her designated representative from within the Department of Military and Veterans Affairs.

5. The Director of the Department of State Police or his or her designated representative from within the Department.

6. The Director of the Department of Transportation or his or her designated representative from within the Department of Transportation.

7. The State Fire Marshal.

8. The Executive Director of the Community Service Commission or his or her designee from within the Community Service Commission.

9. Eleven individuals appointed by the Governor, including at least two individuals with technical expertise related to emergency response.

10. Of the 11 members initially appointed by the Governor under Section II.B.9, 3 members shall be appointed for terms expiring on December 31, 2007, 3 members shall be appointed for terms expiring on December 31, 2008, 3 members shall be appointed for terms expiring on December 31, 2009, and 2 members shall be appointed for terms expiring on December 31, 2010. After the initial terms, members of the Council shall be appointed to 4-year terms.

C. A vacancy on the Council occurring other than by expiration of a term shall be filled in the same manner as the original appointment for the balance of the unexpired term.

D. The Governor shall designate a member of the Council to serve as its Chairperson at the pleasure of the Governor. The Governor may designate a member of the Council to serve as its Vice-Chairperson at the pleasure of the Governor.

III. CHARGE TO THE COUNCIL

A. The Council shall act in an advisory capacity to the Department of State Police and shall do all of the following:

1. Monitor and advise the Department regarding the development and operation of the Michigan Citizen Corps.

2. Act as the statewide advisory council for the Michigan Citizen Corps.

3. Develop for presentation to the Department a comprehensive Michigan Community Emergency Response and Citizen Corps Coordination Plan ("Plan") in consultation with the Department of State Police, the Department of Community Health, the Department of Environmental Quality, the Department of Military and Veterans Affairs, the Office of the State Fire Marshal, and other emergency management entities, including local and tribal entities. The Plan shall provide for all of the following:

a. Coordination of the use of volunteer resources in Michigan in furtherance of homeland security and emergency response.

b. Description of volunteer recruitment and plans for volunteer-management related to emergencies in times of declared states of emergency or disaster.

c. Analysis of state agency coordination plans related to volunteer recruitment and emergency management.

d. Detail of state, local, and tribal activities that may help in the further development of the Michigan Citizen Corps and coordination of citizen-based community emergency response efforts.

e. Reporting on best practices in local and tribal citizen-based emergency response activities and recognizing accomplishments.

4. Beginning September 30, 2009, annually update and submit the Plan required under Section III.C.3 to the Director of the Department of State Police and the Executive Director of the Michigan Community Service Commission no later than 60 days after the close of each fiscal year.
5. Identify opportunities for local, state, tribal, and federal organizations to collaborate to accomplish the shared goals of Citizen Corps and other citizen-based community emergency response efforts.
6. Assist and advise the Department of State Police, the Community Service Commission and local and tribal entities with the preparation of grant and other funding applications submitted to the USA Freedom Corps and other public and private funding sources for implementing the Michigan Citizen Corps and other citizen-based community emergency response efforts.
7. Assist and advise the Department of State Police and the Community Service Commission with the establishment of policies and procedures regarding the use of grants and other funds related to the USA Freedom Corps, the Michigan Citizen Corps, and other citizen-based community emergency response efforts, subject to appropriations and applicable law.
8. Assist and advise the Department of State Police and the Community Service Commission with the development, establishment, and promotion of local Citizen Corps councils, local Citizen Corps programs, and other citizen-based community emergency response and homeland security initiatives.
9. Assist and advise the Department of State Police and the Community Service Commission in the development of programs and activities to promote community service related to homeland security and citizen-based community emergency response, including, but not limited to: Volunteers in Police Service, Neighborhood Watch, Medical Reserve Corps, and Community Emergency Response Teams.
10. Assist and advise the Department of State Police and the Community Service Commission regarding public education, training, and volunteer opportunities related to homeland security and citizen-based community emergency response.
11. Recommend policies and procedures to ensure that emergency response volunteers are connected to emergency alert systems.
12. Recommend policies and procedures to be used by the Michigan Citizen Corps and local Citizen Corps programs in responding to requests for volunteer assistance from other states.
13. Coordinate on behalf of the Department of State Police or the Community Service Commission activities relating to reports to the federal government regarding Citizen Corps and other related activity in Michigan.

B. The Council is designated as the state emergency response commission required under Section 301 of the federal Emergency Planning and Community Right-to-Know Act, Title III of the Superfund Amendments and Reauthorization Act of 1986, 42 USC 11001 to 11050 ("Act") and shall perform all of the duties of a state emergency response commission under the Act, including, but not limited to, all of the following:

1. Appointing local emergency planning committees for each county of this state. Each local emergency planning committee shall include, at a minimum, representatives from each of the following groups or organizations: elected state and local officials; law enforcement, civil defense, firefighting, first aid, health, local environmental, hospital, and transportation personnel; broadcast and print media; community groups; and owners and operators of facilities subject to the requirements of Subchapter I of the Act, 42 USC 11001 to 11005. Each local emergency planning committee shall appoint a chairperson and establish rules for the functioning of the committee, with the rules including provisions for public notification of committee activities, public meetings to discuss emergency plans, public comments, response to such comments by the committee, and distribution of emergency plans. Local emergency planning committees shall comply with the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246, and the Open Meetings Act, 1976 PA 267, MCL 15.261 to 15.275. Each local emergency planning committee shall establish procedures for receiving and processing requests from the public for information under Section 324 of the Act, 42 USC 11044, including tier II information under Section 312 of the Act, 42 USC 11022, and procedures for the designation of an official to

serve as coordinator for the information. Each local emergency planning committee shall perform the functions required of local emergency planning committees under the Act.

2. Notifying the Administrator of the federal Environmental Protection Agency of facilities subject to the requirements of the Act and of each notification received from a facility under Section 302(c) of the Act, 42 USC 11002(c).

3. Reviewing plans submitted by local emergency planning committees and make recommendations to the committees on revisions that may be necessary to ensure coordination with other emergency planning districts.

4. Protecting the public health, safety, welfare, and the environment by facilitating the implementation of the emergency planning and community right-to-know provisions of the Act.

5. Evaluating state agency responsibilities regarding hazardous materials planning, enforcement, and response, and develop recommendations to ensure efficient and effective coordination of hazardous materials planning, enforcement, and response.

C. The Council shall perform the following functions relating to hazard mitigation planning and coordination:

1. Assisting in the development, maintenance, and implementation of a state hazard mitigation plan.

2. Assisting in the development, maintenance, and implementation of guidance and informational materials to support hazard mitigation efforts of local and state government, and private entities.

3. Soliciting, reviewing, and identifying hazard mitigation projects for funding, including, but not limited to, federal funding under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5170c, and Sections 553 and 554 of the National Flood Insurance Reform Act of 1994, 42 USC 4104c and 42 USC 4014d.

4. Fostering and promoting, where appropriate, hazard mitigation principles and practices within local and state government, and with the general public.

IV. OPERATIONS OF THE COUNCIL

A. The Council shall be staffed by personnel from and assisted by the Department of State Police. Any budgeting, procurement, and related management functions of the Council shall be performed under the direction and supervision of the Director of the Department of State Police.

B. The Council shall select from among its members a Secretary. Council staff shall assist the Secretary with recordkeeping responsibilities.

C. Members of the Council appointed by the Governor under Section II.B.9 shall not delegate their responsibilities as members to other persons. A majority of the members of the Council serving constitutes a quorum for the transaction of the Council's business. The Council shall act by a majority vote of its serving members.

D. The Council shall adopt procedures consistent with Michigan law and this Order governing its organization and operations and may establish committees and request public participation on advisory panels as the Council deems necessary. The Council may also adopt, reject, or modify any recommendations proposed by committees or advisory panels.

E. The Council shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Council.

F. In developing recommendations, the Council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Council may also consult with outside experts in order to perform its duties, including, but not limited to, experts in the private sector, organized labor, government agencies, and at institutions of higher education.

G. Members of the Council shall serve without compensation but may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules of procedures of the Civil Service Commission and the Department of Management and Budget, subject to available appropriations.

H. The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Chairperson deems advisable and necessary, in accordance with this Order, and the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

I. The Council may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations shall be expended in accordance with applicable laws, rules, and procedures.

J. Members of the Council shall refer all legal, legislative, and media contacts to the Department of State Police.

V. RESCISSIONS

A. The Michigan Citizen Corps Council created under Executive Order 2002-9 is abolished.

B. Executive Order 2002-9 is rescinded in its entirety.

C. The Michigan Hazard Mitigation Coordinating Council created under Executive Order 1998-5 is abolished.

D. Executive Order 1998-5 is rescinded in its entirety.

E. The State Emergency Planning and Community Right-to-Know Commission established under Executive Order 1994-17, as amended by Executive Orders 1994-25 and 1995-23, is abolished.

F. Executive Orders 1987-5, 1988-1, 1994-17, 1994-25, and 1995-23 are rescinded in their entirety.

VI. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state shall give to the Council, or to any member or representative of the Council, any necessary assistance required by the Council, or any member or representative of the Council, in the performance of the duties of the Council so far as is compatible with its, his, or her duties. Free access also shall be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or investigation of the Council.

B. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.

This Order is effective upon filing.

Given under my hand and the Great Seal of the State of Michigan this 2nd day of May in the year of our Lord, two thousand seven.

JENNIFER M. GRANHOLM
GOVERNOR

BY THE GOVERNOR:

Secretary of State

Michigan Citizen-Community Emergency Response Coordinating Council: Current Members (as of February 2014)

Mr. Brad Deacon

Designated representative from the Michigan Department of Agriculture and Rural Development.

Mr. Marc C. Breckenridge

Technical expert related to emergency response. Washtenaw County Emergency Management Coordinator.

Mr. John H. Cauley

General public representative. Mid-Michigan Chapter of the American Red Cross.

Mr. Richard Miller

State Fire Marshal, Michigan Department of Licensing and Regulatory Affairs.
Designated representative from the Michigan State Fire Marshal.

Mr. Kenneth J. Gembel

Technical expert related to emergency response. General Motors Corporation.

Chief Gary Hagler

Designated representative from the Michigan Department of Environmental Quality.

Dr. William D. Fales

Technical expert related to emergency response. Western Michigan University.

Ms. Virginia Holmes

Designated representative from the Michigan Community Service Commission.

Dr. Phillip D. Schertzing

General public representative. Michigan State University.

Ms. Gail A. Novak-Phelps

Technical expert related to emergency response. White Lake Township Planning Commission; former Oakland County Emergency Manager.

Ms. Eileen Phifer

Designated representative from the Michigan Department of Transportation.

Capt. Chris A. Kelenske

Deputy State Director of Emergency Management & Homeland Security
Designated representative from the Michigan Department of State Police.

Dr. Jackie S. Scott

Designated representative from the Michigan Department of Community Health.

LTC Gregory A. Durkac

Designated representative from the Michigan Department of Military and Veterans Affairs.

Vacant

Technical expert related to emergency response.

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General public representative.

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